United Nations A/48/PV.91

General Assembly
Forty-eighth Session
Official Records

91st Meeting
Thursday, 24 March 1994, 10.30 a.m.
New York

President: Mr. Insanally ..... (Guyana)

The meeting was called to order at 11.05 a.m.

Agenda item 8 *(continued)*

Adoption of the agenda and organization of work

Request for the reopening of the consideration of agenda item 99 (b) (Global Conference on the Sustainable Development of Small Island Developing States (A/48/36/Add.1))

The President: I should first like to draw the attention of the General Assembly to the addendum to the report (A/48/36/Add.1) of the Preparatory Committee for the Global Conference on the Sustainable Development of Small Island Developing States on its resumed first session, which contains the text of decision 14, adopted by the Preparatory Committee at its resumed first session, on 11 March 1994.

In order to enable the Assembly to take action on the recommendation contained in decision 14, it will be necessary to reopen consideration of agenda item 99 (b), entitled "Global Conference on the Sustainable Development of Small Island Developing States". May I take it that the Assembly wishes to reopen consideration of that sub-item, for the sole purpose of considering the recommendation of the Preparatory Committee concerning the participation of associate members of regional commissions in the Conference and its preparatory process?

It was so decided.

The President: Representatives are aware that this sub-item was allocated to the Second Committee. However, in order for the Assembly to proceed expeditiously on this matter, the Assembly may wish to consider this sub-item in plenary meeting. May I take it that that is the wish of the General Assembly?

It was so decided.

The President: May I further take it that the Assembly agrees to proceed immediately to the consideration of agenda item 99 (b)?

It was so decided.

Agenda item 99 *(continued)*

Implementation of decisions and recommendations of the United Nations Conference on Environment and Development

(b) Global Conference on the Sustainable Development of Small Island Developing States: Report of the Preparatory Committee for the Global Conference on the Sustainable Development of Small Island Developing States on its resumed first session (A/48/36/Add.1)

The President: Section VI of the addendum to the report of the Preparatory Committee contains the text of decision 14, adopted by the Preparatory Committee at its resumed first session. That decision reads as follows:

94-85315 (E)

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"The Preparatory Committee, recalling General Assembly resolution 47/189 of 22 December 1992 by which the Assembly, *inter alia*, decided to establish a voluntary fund for the purpose of assisting small island developing States and the least developed countries to participate fully and effectively in the Global Conference on the Sustainable Development of Small Island Developing States and General Assembly resolution 48/193 of 21 December 1993 by which the Assembly, *inter alia*, endorsed the Preparatory Committee's decision, taken at its organizational session of 16 April 1993, concerning the participation of associate members of regional commissions, as observers, in the Conference and its preparatory process, decides to recommend to the General Assembly that consistent with the purpose of the voluntary fund, the voluntary fund be applied to assist associate members of regional commissions to participate fully and effectively, as observers, in the Conference and its preparatory process". *(A/48/36/Add.1, p. 3)*

May I take it that, on the recommendation of the Preparatory Committee for the Global Conference on the Sustainable Development of Small Island Developing States, the General Assembly, recalling its resolution 47/189 of 22 December 1992, by which the Assembly, *inter alia*, decided to establish a voluntary fund for the purpose of assisting small island developing States and the least developed countries to participate fully and effectively in the Global Conference on the Sustainable Development of Small Island Developing States, decides that, consistent with the purpose of the voluntary fund, the voluntary fund be applied to assist associate members of regional commissions to participate fully and effectively, as observers, in the Conference and its preparatory process?

It was so decided.

The President: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 99 (b)?

It was so decided.

Agenda item 176

Observer status for the Commonwealth of Independent States in the General Assembly: draft resolution (A/48/L.55)

The President: I call upon the representative of the Russian Federation to introduce draft resolution A/48/L.55.

Mr. Vorontsov (Russian Federation) *(interpretation from Russian):* Pursuant to a decision of the Council of Heads of State of the Commonwealth of Independent States, adopted on 24 December 1993 in the city of Ashkhabad, I have been instructed, as representative of the State that currently occupies the rotating chairmanship of the organs of the Commonwealth, to introduce the draft resolution on granting observer status to the Commonwealth of Independent States in the General Assembly.

The Commonwealth of Independent States was constituted on 22 January 1993, when it adopted its Charter, according to article 2 of which the purposes of the Commonwealth include promoting comprehensive economic and social development within the context of the States' common economic space; guaranteeing fundamental human rights and freedoms; and ensuring international peace and security and the peaceful resolution of disputes and conflicts. Thus the purposes of the Commonwealth of Independent States are fully in keeping with the purposes and principles of the Charter of the United Nations.

The Commonwealth of Independent States is a dynamically developing regional mechanism. A solid legal and treaty base has been created for cooperation, a standing executive body - the Advisory Committee on Coordination, at the level of Deputy Prime Ministers - has been set up, and more than 30 inter-State, intergovernmental and interdepartmental organs have been established to coordinate activities in various areas. The Inter-Parliamentary Assembly of the Commonwealth of Independent States enjoys observer status in the Inter-Parliamentary Union.

At present the main direction of cooperation within the Commonwealth of Independent States is the economic development of its Member States. To overcome the economic crisis, it would be extremely helpful to strengthen integrational ties while laying particular stress on coordination of efforts to effect the transition to a market economy. The treaty that has been concluded to that end - to create an economic union - contemplates the creation, initially, of an international free-trade association; at a second stage, of a customs union; then of a common capital and work-force market; and, in the final stage, of a monetary union.

The Heads of State of the Commonwealth of Independent States have adopted a declaration of international commitments and obligations in the field of human rights and fundamental freedoms. In accordance with the Commonwealth's Charter, a human-rights

commission has been established. Part of its mandate is the monitoring of compliance with the relevant obligations undertaken by States of the Commonwealth. Thus the Commonwealth of Independent States can quite properly be considered as a regional arrangement under the United Nations Charter, one that has in fact validated itself in a number of similar arrangements and agencies.

At the current stage of the development of international relations, regional arrangements and agencies are acquiring significant political influence. Their activities are becoming important in such areas as economic development and dealing with social, humanitarian and ecological problems. They are also playing an increasingly conspicuous role in the maintenance of international peace and security. In this particular area the wealth of experience of the United Nations is extremely valuable to the Commonwealth of Independent States.

There is a real potential for cooperation between the Commonwealth and this universal Organization. It is important that the current sporadic contacts between them be promptly given a regular and more orderly basis. We are therefore convinced that the General Assembly will support the Commonwealth's request to be invited to participate as an observer in the Assembly's work. Such a decision would make it possible to genuinely strengthen cooperation between the Commonwealth of Independent States and the United Nations and to enhance their ability to promote peace and security and to cooperate at both the regional and global levels.

The President: We shall now proceed to consider draft resolution A/48/L.55.

I now call on the representative of Ukraine, who wishes to speak in explanation of vote before the voting.

May I remind members that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Khandogy (Ukraine): In connection with draft resolution A/48/L.55, which is about to be adopted by the General Assembly, the delegation of Ukraine would like to state that Ukraine has not signed the decision of the Council of Heads of State of the Commonwealth of Independent States, adopted on 24 December 1993 in Ashkhabad, concerning certain measures to ensure international recognition of the Commonwealth of Independent States and its statutory bodies, with regard to granting observer status for the Commonwealth of Independent States in the General Assembly. In not doing so, Ukraine acted on the basis of the Declaration of 20 December 1993 of Ukraine's Verkhovna Rada - its Parliament - concerning the conclusion of the Agreement on the Commonwealth of Independent States, which stated that Ukraine declined to grant the Commonwealth the status of a subject of international law.

The delegation of Ukraine must draw attention to the fact that the basic documents of the Commonwealth of Independent States - namely, the Agreement on the Establishment of the Commonwealth of Independent States, the Alma Ata Declaration and the Commonwealth of Independent States Charter - do not qualify the status of the Commonwealth as one with the features of a subject of international law. The Commonwealth of Independent States is a special international, interregional formation which not only lacks definite status but actually includes a military and political alliance established on the basis of the Tashkent agreement on collective security of 15 May 1992, which binds only some members of the Commonwealth.

Under the circumstances, Ukraine is joining the consensus on draft resolution A/48/L.55 on the understanding that a Commonwealth of Independent States observer in the General Assembly will legally represent only those countries of the Commonwealth of Independent States which have signed and ratified the Charter of the Commonwealth of Independent States of 22 January 1993 and have become sponsors of the draft resolution.

Moreover, Ukraine considers that granting the Commonwealth of Independent States observer status in the General Assembly should not be interpreted as *de jure* recognition of the Commonwealth as a regional arrangement, as defined in Chapter VIII of the United Nations Charter, bearing responsibilities for dealing with matters relating to the maintenance of international peace and security, in particular for enforcement action under the authority of the Security Council.

The President: The Assembly will now take a decision on draft resolution A/48/L.55.

May I take it that the Assembly decides to adopt the draft resolution?

Draft resolution A/48/L.55 was adopted (resolution 48/237).

The President: I shall now call on those representatives who wish to explain their position on the

resolution just adopted. Before calling on the first speaker, may I remind representatives that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

I call first on the representative of Greece, who will speak on behalf of the European Union.

Mr. Glovas (Greece) *(interpretation from French):* The European Union welcomes the General Assembly's decision to grant observer status to the Commonwealth of Independent States, and supports the principle behind that decision. The granting of observer status being a procedural decision without implications for the juridical status of the entity which is granted such status or for the prerogatives which it enjoys outside of the General Assembly, this decision is limited in scope. Yet we consider that today's decision can make a positive contribution to the harmonious development of international relations.

The President: I call on the representative of Norway, who will speak on behalf of the Nordic countries.

Mr. Biornlian (Norway): On behalf of the Nordic countries - Denmark, Finland, Iceland, Sweden and my own country, Norway - I would like to welcome the decision just taken to grant observer status to the Commonwealth of Independent States in the General Assembly.

The Nordic countries would like to note, along the lines of the statement just made by the representative of the Presidency of the European Union, that this decision is limited in scope, since the granting of observer status is a procedural decision without implications for the juridical status of the entity which is granted such status or for the prerogatives which it enjoys outside of the General Assembly. We feel, none the less, that the decision just taken by the General Assembly will no doubt constitute a positive contribution to the harmonious development of international relations.

Mr. Filby (United States of America): We supported the draft resolution extending observer status to the Commonwealth of Independent States (CIS). The Commonwealth is indeed composed of independent States, whose sovereignty and territorial integrity we continue to support. They pursue objectives in their joint interest in the Commonwealth, and those who signed the joint communiqué issued by their Heads of State or Government in Ashkhabad in December 1993 signified their desire to have observer status accorded the Commonwealth. We welcome the opportunity that observer status for the Commonwealth will create for a still richer exchange of information and views between its member States and the United Nations.

We wish to make it clear, however, that our support for observer status for the Commonwealth of Independent States in the General Assembly should not be construed as support for the Security Council's authorizing the CIS in any particular situation to engage in enforcement or other activities as provided for in Chapter VIII of the Charter.

Ms. Rotheiser (Austria): Austria enjoys close and friendly relations with all States members of the Commonwealth of Independent States. We share the understanding, as expressed by the Presidency of the European Union and by the Nordic States, that the granting of observer status is a procedural decision without effect on the legal nature of the body concerned, or on its prerogatives outside of the General Assembly. In that context, we welcome the procedural decision to grant observer status to the Commonwealth of Independent States.

Mr. Ainso (Estonia): My delegation would like to associate itself with the remarks made by the representative of the United States.

Mr. Dumitriu (Romania): We welcome the endeavours of regional organizations to enhance their level of cooperation and consultation with the United Nations to the extent to which such cooperation can bring a real contribution in support of United Nations activities. It is in that spirit that we supported the draft resolution just adopted, entitled "Observer status for the Commonwealth of Independent States in the General Assembly".

We consider the comments made by the representative of the European Union on the procedural character of the resolution to be sound and pertinent.

As a neighbouring country, Romania has joined with particular enthusiasm in the international support for the profound process of democratic change in the area. We are glad we are now dealing with a commonwealth of truly independent States, which has replaced the old imperial, totalitarian structures of the former Soviet Union. We hail the efforts of the newly independent States to act on their own in the international arena.

With that in mind, we would like to make some explanatory comments. First, it is our understanding that granting observer status to the Commonwealth of Independent States (CIS) does not indicate to the participating States that it will be necessary for them to address the international community through the CIS, and that the CIS should act as initially conceived, as a forum for consultations between equal, sovereign States.

It is our understanding also that granting observer status to the CIS does not imply that the United Nations has granted generic responsibilities for any pacification operation on the territory of the former Soviet Union, either unilaterally by a member country or by the CIS as a whole, under Chapter VIII of the Charter. Peace-keeping operations should be carried out in strict compliance with the Charter of the United Nations, with the provisions of the 1992 Helsinki Document of the Conference on Security and Cooperation in Europe (CSCE), and with respect for the principles contained in the report of the ad-hoc working group of the North Atlantic Cooperation Council adopted in Athens in June 1993.

When considering any possible development of CIS involvement in the efforts of the international community peacefully to settle international conflicts, we ought to bear in mind that the possibility enshrined in the Charter for regional arrangements to be involved in dealing with conflicts is conditioned upon the existence of an initiative by the States concerned or a referral by the Security Council. We assume that this spirit applies also to any conflict on the territory of the former Soviet Union.

In order to ensure that these possible bottlenecks will not affect the genuine capacity of the CIS to contribute to United Nations activities, we would consider it useful for the Secretariat to proceed to consultations with the interested countries on the specific modalities of cooperation envisaged between the CIS and the United Nations.

The President: The representative of the Russian Federation has asked to speak in exercise of the right of reply. Let me recall that statements in exercise of the right of reply are limited to 10 minutes for the first intervention and five minutes for the second intervention, and should be made by delegations from their seats.

Mr. Vorontsov (Russian Federation) *(interpretation from Russian):* Some speakers have expressed doubt that the Commonwealth of Independent States (CIS) is in fact a regional arrangement within the meaning of Chapter VIII of the Charter. We believe that these doubts are based on a lack of knowledge about the nature of the Commonwealth and the agreements concluded among its members.

Those agreements include an agreement on a military observer group and on joint forces for maintaining peace within the CIS. This was signed by the Heads of States members of the CIS, including Ukraine, in Kiev on 20 March 1992. That agreement and its protocol form the legal basis for peace-making operations by all members of the CIS. The documents were prepared on the basis of the experience and practice of the United Nations in carrying out peace-keeping operations. They are fully consistent with the purposes and principles of the United Nations Charter, as is clear from the Charter of the CIS, which I cited earlier in this meeting.

We are certain that granting observer status to the CIS in the General Assembly will help provide United Nations Members with all the information they need and will dispel any misunderstandings that may have arisen.

The President: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 176?

It was so decided.

Introduction of reports of the Fifth Committee

The President: The General Assembly will now consider the reports of the Fifth Committee on agenda items 120, 136, 137, 138 and 149. I request the Rapporteur of the Fifth Committee to introduce the reports of the Fifth Committee in one intervention.

Mr. Kabir (Bangladesh), Rapporteur of the Fifth Committee: I have the honour today to present to the General Assembly the reports of the Fifth Committee on four agenda items concerning the United Nations peace-keeping operations and an agenda item relating to the financial statements and reports of the Board of Auditors.

Part II of the report of the Committee on agenda item 120, entitled "Financial reports and audited financial statements, and reports of the Board of Auditors", is contained in document A/48/752/Add.2. In paragraph 5 of that report, the Fifth Committee recommends to the General Assembly the adoption of a draft decision which was adopted by the Fifth Committee at its 52nd meeting, on 16 March 1994.

Concerning agenda item 136, entitled "Financing of the United Nations Protection Force", the Fifth Committee's report (part III) on this item is contained in document A/48/819/Add.2. In paragraph 6 of that report, the Fifth Committee recommends to the General Assembly the adoption of a draft resolution, which was adopted by the Committee at its 53rd meeting, on 18 March 1994.

On agenda item 137, entitled "Financing of the United Nations Operation in Somalia II", the Fifth Committee's report (part III) is contained in document A/48/820/Add.2. In paragraph 6 of that report, the Fifth Committee recommends to the General Assembly the adoption of a draft resolution, which was adopted by the Committee at its 55th meeting, on 23 March 1994. Here, I wish to draw the attention of the Assembly to the fact that in the last line of paragraph 6 of the draft resolution the word "independent", in brackets, should be deleted.

Concerning agenda item 138, entitled "Administrative and budgetary aspects of the financing of the United Nations peace-keeping operations", the Committee's report (part III) on this item is contained in document A/48/807/Add.2. In paragraph 6 of that report, the Fifth Committee recommends to the General Assembly the adoption of a draft decision, which was adopted by the Committee at its 53rd meeting, on 18 March 1994.

On agenda item 149, entitled "Financing of the United Nations Operation in Mozambique", the Committee's report (part III) on this item is contained in document A/48/821/Add.2. In paragraph 7 of that report, the Fifth Committee recommends to the General Assembly the adoption of a draft resolution, which was adopted by the Committee at its 53rd meeting, on 18 March 1994.

I am pleased to inform the Assembly that all five of the resolutions or decisions introduced here this morning were adopted by the Fifth Committee without a vote.

The President: If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Fifth Committee that are before it today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote or position.

The positions of delegations regarding the recommendations of the Fifth Committee have been made clear in the Committee and are reflected in the relevant official records. May I remind members that under paragraph 7 of decision 34/401 the Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, i.e., either in the Committee or in plenary meeting unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Fifth Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Committee.

Agenda item 120 *(continued)*

Financial reports and audited financial statements, and reports of the Board of Auditors: report of the Fifth Committee (Part II) (A/48/752/Add.1)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 5 of its report.

The draft decision, entitled "Special audit of all aspects of procurement for peace-keeping operations and observer missions", was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft decision was adopted.

The President: We have concluded this stage of our consideration of agenda item 120.

Agenda item 136 *(continued)*

Financing of the United Nations Protection Force: report of the Fifth Committee (Part III) (A/48/819/Add.2)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of its report.

The draft resolution was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 48/238).

The President: We have concluded this stage of our consideration of agenda item 136.

Agenda item 137 *(continued)*

Financing of the United Nations Operation in Somalia II: report of the Fifth Committee (Part III) (A/48/820/Add.2)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of its report.

The draft resolution was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to adopt the draft resolution, as orally revised by the Rapporteur?

The draft resolution, as orally revised, was adopted (resolution 48/239).

The President: We have concluded this stage of our consideration of agenda item 137.

Agenda item 138 *(continued)*

Administrative and budgetary aspects of the financing of the United Nations peace-keeping operations: report of the Fifth Committee (Part III) (A/48/807/Add.2)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 6 of its report.

The draft decision was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft decision was adopted.

The President: We have thus concluded this stage of our consideration of agenda item 138.

Agenda item 149 *(continued)*

Financing of the United Nations Operation in Mozambique: report of the Fifth Committee (Part III) (A/48/821/Add.2)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 7 of its report.

The draft resolution was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 48/240).

The President: I now call on the representative of Mozambique to explain his position on the resolution just adopted.

Mr. Afonso (Mozambique): On behalf of my delegation, I wish to welcome the adoption of the resolution on the financing of the United Nations Operation in Mozambique (ONUMOZ) covering the period from November 1993 to April 1994.

As on previous similar occasions, today's decision represents an important step forward in the effort to bring to an end a conflict which ravaged our country for so many years. We are grateful to the entire international community for its continued assistance to our people. Adequate resources are of great importance to the success of any United Nations peace-keeping operation. In the case of ONUMOZ, the issue of adequate resources assumes greater significance given the need for us to redouble our collective efforts in the period prior to the general elections.

As members will recall, we are currently engaged in the process of demobilization of forces. Demobilization is clearly one of the most important components of the whole process, for it will allow the elections to be held under conditions of peace and tranquillity for all Mozambicans. For this reason, this process requires full monitoring by ONUMOZ in order to establish the transparency of the process and to promote confidence among the parties. This can be facilitated through an efficient and resourceful ONUMOZ. In view of all this, my delegation hopes that the General Assembly will review the Secretary-General's next report called for in paragraph 16 (a) of the resolution - perhaps the last such report - in the same spirit of understanding as it has on previous occasions.

My Government shares the concerns expressed in this resolution regarding the deteriorating financial situation with regard to the peace-keeping operations. As we stated in the Security Council last month, we are conscious of the burden placed on the international community in assisting

us in our endeavours to bring peace, harmony and tranquillity to our country. I should like to assure members that my Government will continue to abide fully by our commitments under the Rome Agreement and to work towards the completion of this process by October. A successful outcome of the forthcoming elections will be, in our assessment, the best contribution not only to peace in Mozambique and the entire southern African region, but also to the efforts to limit the expenditures on peace-keeping operations. More importantly, I believe, a successful completion of the mandate of ONUMOZ will assist the people of Mozambique in their efforts towards national reconciliation and will contribute to regional cooperation, peace and stability.

The President: We have concluded this stage of our consideration of agenda item 149.

Programme of work

The President: I should like to inform representatives that the next plenary meeting will be convened on Tuesday, 5 April 1994, when the Assembly will take up remaining Fifth Committee reports on the financing of peace-keeping operations and any other pending matters ready for consideration.

The meeting rose at 11.50 a.m.